

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10569-JLT

KELLY HARMUTH,  
Plaintiff,

v.

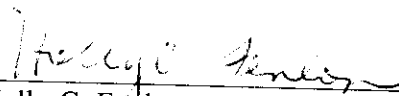
CONTINENTAL CASUALTY COMPANY,  
CNA INSURANCE COMPANIES,  
SBLI GROUP DISABILITY PLAN  
Defendants

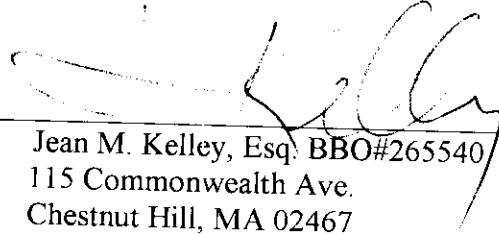
**CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 16.1(D)(3) OF  
CONTINENTAL CASUALTY COMPANY, CNA INSURANCE COMPANIES and SBLI  
GROUP DISABILITY PLAN**

We hereby certify in accordance with this court's Local Rule 16.1(D)(3), that we have conferred and have discussed the budget for the cost of conducting a full course and various alternative courses of litigation and have considered the resolution of this litigation through the use of Alternative Dispute Resolution programs, such as those outlined in Local Rule 16.4.

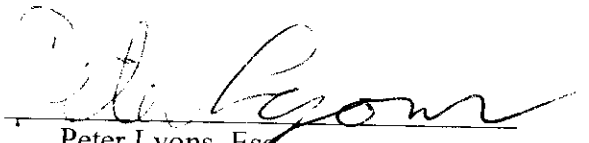
CONTINENTAL CASUALTY COMPANY  
and CNA INSURANCE COMPANIES

CONTINENTAL CASUALTY COMPANY,  
CNA INSURANCE COMPANIES, and  
SBLI GROUP DISABILITY PLAN,  
By their Attorneys,  
MORRISON, MAHONEY & MILLER LLP

  
Holly C. Fenlon  
Continental Casualty Company  
2599 Lucien Way, 3d Floor  
Maitland, FL 32751  
Tel.: (407) 919-6452  
Fax: (407) 919-6574

  
Jean M. Kelley, Esq. BBO#265540  
115 Commonwealth Ave.  
Chestnut Hill, MA 02467  
Tel.: 617-964-0323  
Fax.: 617-969-8737

SBLI GROUP DISABILITY PLAN,

A handwritten signature in cursive script, appearing to read "Peter Lyons", is written over a horizontal line.

Peter Lyons, Esq.

SBLI

1 Linscott Road

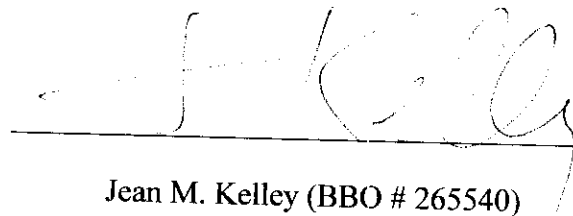
Woburn, MA

781-938-3500

**CERTIFICATE OF SERVICE**

I, Jean M. Kelley, hereby certify that I have this 9<sup>th</sup> day of November, 2004, served a true copy of the Certification of Compliance with Local Rule 16.1(D)(3) of Defendants Continental Casualty Company, CNA Insurance Companies, and SBLI Group Disability Plan, by first class mail, postage prepaid, upon counsel of record:

Mala M. Rafik, Esq.  
BBO #638075  
ROSENFELD & RAFIK, P.C.  
44 School Street, Suite 410  
Boston, MA 02108

  
Jean M. Kelley (BBO # 265540)